

FORM B1 United States Bankruptcy Court Southern District of Iowa Des Moines		Voluntary Petition
Name of Debtor (if individual, enter Last, First, Middle): Wanek, Gene J.	Name of Joint Debtor (Spouse)(Last, First, Middle): Wanek, Twila K.	
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):	
Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all): 5751	Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all): 1342	
Street Address of Debtor (No. & Street, City, State & Zip Code): 3001 Guthrie Ave. Des Moines, IA 50317	Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 3001 Guthrie Ave. Des Moines, IA 50317	
County of Residence or of the Principal Place of Business: Polk	County of Residence or of the Principal Place of Business: Polk	
Mailing Address of Debtor (if different from street address):	Mailing Address of Joint Debtor (if different from street address):	
Location of Principal Assets of Business Debtor (if different from street address above):		
Information Regarding the Debtor (Check the Applicable Boxes)		
Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.		
Type of Debtor (Check all boxes that apply) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Railroad <input type="checkbox"/> Corporation <input type="checkbox"/> Stockbroker <input type="checkbox"/> Partnership <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Other _____ <input type="checkbox"/> Clearing Bank		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 13 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding
Nature of Debts (Check one box) <input type="checkbox"/> Consumer/Non-Business <input checked="" type="checkbox"/> Business		Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee Attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)		
Statistical/Administrative Information (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.		THIS SPACE IS FOR COURT USE ONLY
Estimated Number of Creditors 1-15 16-49 50-99 100-199 200-999 1000-over <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Estimated Assets \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
Estimated Debts \$0 to \$50,000 \$50,001 to \$100,000 \$100,001 to \$500,000 \$500,001 to \$1 million \$1,000,001 to \$10 million \$10,000,001 to \$50 million \$50,000,001 to \$100 million More than \$100 million <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		

Voluntary Petition <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s) Gene J. Wanek, Twila K. Wanek	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed: NONE		Case Number: Date Filed: 	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: NONE		Case Number: Date Filed: 	
District: 		Relationship: Judge: 	
Signatures			
<p style="text-align: center;">Signature(s) of Debtor(s) (Individual/Joint)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <div style="margin-top: 10px;"> X <u> s/ Gene J. Wanek </u> Signature of Debtor </div> <div style="margin-top: 10px;"> X <u> s/ Twila K. Wanek </u> Signature of Joint Debtor </div> <div style="margin-top: 10px;"> _____ Telephone Number (If not represented by attorney) <u>2/20/2004</u> Date </div>		<div style="margin-top: 10px;"> <p style="text-align: center;">Exhibit A</p> <p>(To be completed if debtor is required to file periodic reports (e.g., forms 10Kand 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)</p> <input type="checkbox"/> Exhibit A is attached and made a part of this petition. </div> <div style="margin-top: 10px;"> <p style="text-align: center;">Exhibit B</p> <p>(To be completed if debtor is an individual whose debts are primarily consumer debts)</p> <p>I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.</p> <div style="margin-top: 5px;"> X <u> Not Applicable </u> Signature of Attorney for Debtor(s) _____ Date _____ </div> </div> <div style="margin-top: 10px;"> <p style="text-align: center;">Exhibit C</p> <p>Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No </div> </div>	
<p style="text-align: center;">Signature of Attorney</p> <div style="margin-top: 10px;"> X _____ Signature of Attorney for Debtor(s) Jerrold Wanek, IS9998937 Printed Name of Attorney for Debtor(s) / Bar No. Garten & Wanek Firm Name 835 Insurance Exchange Building 505 Fifth Ave. Address Des Moines, IA 50309-2317 (515) 243-1249 (515) 244-4471 Telephone Number <u>2/20/2004</u> Date </div>		<div style="margin-top: 10px;"> <p style="text-align: center;">Signature of Non-Attorney Petition Preparer</p> <p>I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110(c) that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.</p> <div style="margin-top: 5px;"> <u>Not Applicable</u> Printed Name of Bankruptcy Petition Preparer _____ Social Security Number (Required by 11 U.S.C. § 110(c).) _____ Address _____ _____ Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person. X <u>Not Applicable</u> Signature of Bankruptcy Petition Preparer _____ Date _____ A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156. </div> </div>	
<p style="text-align: center;">Signature of Debtor (Corporation/Partnership)</p> <p>I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.</p> <div style="margin-top: 10px;"> X <u>Not Applicable</u> Signature of Authorized Individual _____ Printed Name of Authorized Individual _____ Title of Authorized Individual _____ Date _____ </div>			

Form B6
(6/90)

**United States Bankruptcy Court
Southern District of Iowa
Des Moines**

In re **Gene J. Wanek**

Twila K. Wanek

Case No.

Chapter **7**

SUMMARY OF SCHEDULES

AMOUNTS SCHEDULED

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	YES	1	\$ 194,530.00		
B - Personal Property	YES	5	\$ 8,667,385.38		
C - Property Claimed as Exempt	YES	2			
D - Creditors Holding Secured Claims	YES	1		\$ 110,000.00	
E - Creditors Holding Unsecured Priority Claims	YES	2		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	YES	7		\$ 44,288,046.16	
G - Executory Contracts and Unexpired Leases	YES	1			
H - Codebtors	YES	1			
I - Current Income of Individual Debtor(s)	YES	1			\$ 5,185.00
J - Current Expenditures of Individual Debtor(s)	YES	2			\$ 5,064.33
Total Number of sheets in ALL Schedules ➤		23			
Total Assets ➤			\$ 8,861,915.38		
Total Liabilities ➤				\$ 44,398,046.16	

FORM B6A
(6/90)

In re: Gene J. Wanek Twila K. Wanek , Case No. _____
Debtor (If known)

SCHEDULE A - REAL PROPERTY

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Fairfield Timeshare	None	J	\$ 2,000.00	\$ 0.00
Lots 15-16 in Block 1, WILBER'S FIRST ADDITION Locally Known as: 428 North Wilson, Wilber, NE	Fee Owner	W	\$ 53,820.00	\$ 50,000.00
RCI Velas Vellarta Timeshare	None	J	\$ 1,500.00	\$ 0.00
The North 28 feet of the West 53 1/3 feet of Lot 31 and the West 53 1/3 feet of Lots 32 and 33 and the East 25 feet of Lot D Adjacent thereto on the West all in SCENIC HEIGHTS, an Official Plat, in the City of Des Moines, Polk County, Iowa. Locally known as: 3001 Guthrie Ave., Des Moines, IA	Fee Owner	J	\$ 137,210.00	\$ 60,000.00
Total >			\$ 194,530.00	

(Report also on Summary of Schedules.)

FORM B6B
(10/89)In re **Gene J. Wanek****Twila K. Wanek**

Case No. _____

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand		Misc. cash on hand	J	10.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Bank of America Checking	H	50.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Edco Credit Union Gene savings Twila savings	J	40.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		US Bank checking	J	50.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Wells Fargo Checking	J	50.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Misc. household goods, supplies and furnishings, no single item of unique or special value	J	3,500.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.		Misc. Books, pictures, wall hangings, and knick knacks.	J	1,500.00
6. Wearing apparel.		Misc. wearing apparel	J	500.00
7. Furs and jewelry.		misc. jewelry, no item of unique or special value	W	300.00
7. Furs and jewelry.		wedding rings	J	2,000.00
8. Firearms and sports, photographic, and other hobby equipment.		Bicycles, golf clubs, and other misc.	J	100.00

FORM B6B
(10/89)

In re **Gene J. Wanek**

Twila K. Wanek

Case No.

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
8. Firearms and sports, photographic, and other hobby equipment.		Remington 1100 shotgun	H	300.00
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Amerus Life (Twila) \$14597.00 face value, cash value \$7800.40 Amerus Life (Twila & Gene) \$100,000 face value, cash value of \$21,508.34 Western Fraternal Life (Gene) \$1200 face, value \$600.00 Security Mutual (Twila) \$900 face, value \$450.00 Homesteader's Life (Gene & Twila) face \$2350 each, value \$700	J	31,058.74
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.		IRA - Gene 1st Trust of Onaga, Custodian Hartford 68567.53 Horace Mann 18000.00 ING 30000.00	J	116,567.53
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.		IRA -Twila Amerus Life	J	42,497.11
12. Stock and interests in incorporated and unincorporated businesses. Itemize.	X			
13. Interests in partnerships or joint ventures. Itemize.		Ashberry Village, LLC 32.4% interest Ashbery Village is a 172 unit apartment complex in Columbus, Ohio. Total value is \$5,790,000 Debt against the apartment complex exceeds the value of the assets.	J	1,875,960.00

FORM B6B
(10/89)

In re **Gene J. Wanek**

Twila K. Wanek

Case No. _____

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
13. Interests in partnerships or joint ventures. Itemize.		Ashton Glen LLC 14% ownership interest Ashton Glen is 108 unit apartment complex in Centerville, Ohio Total value is \$6,300,000 Debt against the apartment complex exceeds the value of the assets.	J	882,000.00
13. Interests in partnerships or joint ventures. Itemize.		Colonial Exeter, LLC 20.4% interest Colonial Exeter is a 516 unit apartment complex in Columbus, Ohio Total value is \$10,200,500 Debt against the apartment complex exceeds the value of the assets.	J	2,080,902.00
13. Interests in partnerships or joint ventures. Itemize.		Colonial Exeter, LLC 20% owned by Gene 20% owned by Twila Ownership interests subject to sale agreement to John Wanek for \$70,000 each Monroe Terrace is 140 Unit Apartments in Monroe, Ohio Total value of apartment complex is \$4,750,000 Debt against the apartment complex exceeds the value of the assets.	J	1,900,000.00
13. Interests in partnerships or joint ventures. Itemize.		Linwood Apartments 40% interest	J	141,000.00

FORM B6B
(10/89)

In re **Gene J. Wanek**

Twila K. Wanek

Case No. _____

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
13. Interests in partnerships or joint ventures. Itemize.		Waterstone Exeter, LLC 24% interest Waterstone Exeter is 192 unit apartment complex in Indianapolis, IN Total value is \$4,850,000 Debt against the apartment complex exceeds the value of the assets.	J	1,164,000.00
13. Interests in partnerships or joint ventures. Itemize.		Williamsburg Place, LLC 24% interest Willimasburg Place is 76 Unit Apartment complex in Middletown, Ohio Total value is \$1,750,000 Debt against the apartment complex exceeds the value of the assets.	J	420,000.00
14. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
15. Accounts receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			

FORM B6B
(10/89)In re **Gene J. Wanek****Twila K. Wanek**

Case No. _____

Debtor

(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	NONE	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Money loaned to son, John Wanek over the years. Never kept track of amount. Likely uncollectible.	J	0.00
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		1990 Plymouth Voyager	J	1,000.00
23. Automobiles, trucks, trailers, and other vehicles and accessories.		1998 Jeep Grand Cherokee Laredo	J	4,000.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment and supplies used in business.	X			
28. Inventory.	X			
29. Animals.	X			
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed. Itemize.	X			
<u>4</u> continuation sheets attached			Total	\$8,667,385.38

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

FORM B6C
(6/90)In re Gene J. Wanek Twila K. Wanek, Case No. _____
Debtor. (If known)**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

Debtor elects the exemption to which debtor is entitled under:

(Check one box)

- ☐ 11 U.S.C. § 522(b)(1) Exemptions provided in 11 U.S.C. § 522(d). **Note: These exemptions are available only in certain states.**
- ☒ 11 U.S.C. § 522(b)(2) Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY, WITHOUT DEDUCTING EXEMPTIONS
1990 Plymouth Voyager	CI § 627.6(9)	1,000.00	1,000.00
1998 Jeep Grand Cherokee Laredo	CI § 627.6(9)	4,000.00	4,000.00
Amerus Life (Twila) \$14597.00 face value, cash value \$7800.40 Amerus Life (Twila & Gene) \$100,000 face value, cash value of \$21,508.34 Western Fraternal Life (Gene) \$1200 face, value \$600.00 Security Mutual (Twila) \$900 face, value \$450.00 Homesteader's Life (Gene & Twila) face \$2350 each, value \$700	CI § 627.6(6)	31,058.74	31,058.74
Bank of America Checking	CI § 627.6(13)	50.00	50.00
Bicycles, golf clubs, and other misc.	CI § 627.6(5)	100.00	100.00
Edco Credit Union Gene savings Twila savings	CI § 627.6(13)	40.00	40.00
IRA - Gene 1st Trust of Onaga, Custodian Hartford 68567.53 Horace Mann 18000.00 ING 30000.00	CI §§ 627.8, 627.9	116,567.53	116,567.53
IRA - Twila Amerus Life	CI §§ 627.8, 627.9	42,497.11	42,497.11

FORM B6C
(6/90)

In re Gene J. Wanek Debtor. Twila K. Wanek, Case No. _____
(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY, WITHOUT DEDUCTING EXEMPTIONS
Misc. Books, pictures, wall hangings, and knick knacks.	CI § 627.6(3)	1,500.00	1,500.00
Misc. cash on hand	CI § 627.6(13)	10.00	10.00
misc. jewelry, no item of unique or special value	CI § 627.6(1)	300.00	300.00
Misc. wearing apparel	CI § 627.6(1)	500.00	500.00
Misc. household goods, supplies and furnishings, no single item of unique or special value	CI § 627.6(5)	3,500.00	3,500.00
Remington 1100 shotgun	CI § 627.6(2)	300.00	300.00
The North 28 feet of the West 53 1/3 feet of Lot 31 and the West 53 1/3 feet of Lots 32 and 33 and the East 25 feet of Lot D Adjacent thereto on the West all in SCENIC HEIGHTS, an Official Plat, in the City of Des Moines, Polk County, Iowa. Locally known as: 3001 Guthrie Ave., Des Moines, IA	CI §627.9	77,210.00	137,210.00
US Bank checking	CI § 627.6(13)	50.00	50.00
wedding rings	CI § 627.6(1)	2,000.00	2,000.00
Wells Fargo Checking	CI § 627.6(13)	50.00	50.00

FORM B6D
(12/03)

In re: **Gene J. Wanek** **Twila K. Wanek** , Case No. _____
Debtor (If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.	J					60,000.00	0.00
Bank of America 317 6th Ave. Des Moines, IA 50309		First Lien on Residence The North 28 feet of the West 53 1/3 feet of Lot 31 and the West 53 1/3 feet of Lots 32 and 33 and the East 25 feet of Lot D Adjacent thereto on the West all in SCENIC HEIGHTS, an Official Plat, in the City of Des Moines, Polk County, Iowa. Locally known as: 3001 Guthrie Ave., Des Moines, IA VALUE \$137,210.00					
ACCOUNT NO.	J					50,000.00	0.00
Solutions Worldwide, LLC 9620 Hammontree Drive Urbandale, IA 50322		Mortgage Lots 15-16 in Block 1, WILBER'S FIRST ADDITION Locally Known as: 428 North Wilson, Wilber, NE VALUE \$53,820.00					

0 Continuation sheets attached

Subtotal >
(Total of this page)
Total >
(Use only on last page)

\$110,000.00
\$110,000.00

(Report total also on Summary of Schedules)

Form B6E
(12/03)

In re Gene J. Wanek Debtor Twila K. Wanek Case No. _____
(If known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

☒ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,650* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,650* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,100* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

☐ **Other Priority Debts**

* Amounts are subject to adjustment on April 1, 2004, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Form B6E - Cont.
(12/03)

In re Gene J. Wanek Debtor Twila K. Wanek, Case No. _____ (If known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
ACCOUNT NO.							

Form B6F (12/03)

In re **Gene J. Wanek** Debtor **Twila K. Wanek** Case No. _____ (If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBTOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 4408-0462-1230-8269 AARP Credit Card Services Bank One PO Box 8650 Palatine, IL 19899	J					1,814.82
ACCOUNT NO. 3725-376355-31008 American Express PO Box 7863 Fort Lauderdale, FL 33329	J					49,000.00
ACCOUNT NO. _____ American Express PO Box 297879 Ft. Lauderdale, FL 33329-7879 D & B RMS PO Box 539 Richfield, OH 44286 United REcovery Services Attn: Kevin Gunthorpe 5800 North Course Drive Houston, TX 77072 American Express Suite 0001 Chicago, IL 60679	H	accounts: Business Line 3732-775936-12008 Bus Cp. Ln. 3725-376355-31008				33,861.06

☒ Continuation sheets attached

Subtotal >

Total >

\$84,675.88

Form B6F - Cont.
(12/03)

In re **Gene J. Wanek** **Twila K. Wanek** Case No. _____
Debtor (If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.						1,655,164.83
American National Mortgage Partners c/o James Sell, Receiver 5045 N. 12th Street, Suite 100 Phoenix, AZ 85014						
Lawrence E. Wilk Jaburg & Wilk 1200 N. Central Ave., Ste. 2000 Phoenix, AZ 85012						
American National Mortgage Partners 15021 North 74th Street, Ste. 100 Scottsdale, AZ 85260						
ACCOUNT NO.						6,415,088.00
ARCap Servicing, Inc. 5605 North MacArthur Blvd. Suite 950 Irving, TX 75038	J					
ACCOUNT NO.						580,000.00
Ashton Glen Apartments, LLC 4 World Financial Center 250 Vesey Street 15th Floor, Room 210 New York, NY 10080						
Mark Sifferman Norling, Kolsrud Law Firm 3101 North Central Ave. Suite 690 Phoenix, AZ 85012						
ACCOUNT NO. 4427-1000-0825-7003						11,690.57
Bank of America PO Box 1038 Norfolk, VA 23501-1038	J					

Sheet no. 1 of 7 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) >

Total >

(Use only on last page of the completed Schedule F.)

\$8,661,943.40

Form B6F - Cont.
(12/03)

In re **Gene J. Wanek** Debtor **Twila K. Wanek** Case No. _____
(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 5291-4921-8622-0451 Capital One PO Box 85015 Richmond, VA 23285-5015	J					18,326.27
ACCOUNT NO. 6552414 CDW Corporation 200 North Milwaukee Ave. Vernon Hills, IL 60061	J					1,700.00
ACCOUNT NO. 5423-7960-2159-9528 Choice Box 6248 Sioux Falls, SD 57117	J					8,429.56
ACCOUNT NO. Curtis F. Slaton Bogin, Patterson & Bohman, LLP 1200 Talbott Tower 131 N. Ludlow Street Dayton, OH 45402	J					Unknown

Sheet no. 2 of 7 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) >

Total >

(Use only on last page of the completed Schedule F.)

\$28,455.83

Form B6F - Cont.
(12/03)

In re **Gene J. Wanek** Debtor **Twila K. Wanek** Case No. _____
(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.	J		X	X	X	4,800,000.00
ECP Monroe, LLC Edgewood Capital Partners 1055 Summer Street Stanford, CT 06905						
Jennifer L. Maffett Thompson Hine, LLP PO Box 8801 Dayton, OH 45401						
CIBC World Markets Attn: Brian Neilinger 622 Third Ave. New York, NY 10017						
ACCOUNT NO. 4305-5000-9512-1482	J					9,954.93
Fleet PO Box 15480 Wilmington, DE 19850-5480						
ACCOUNT NO.	J		X	X	X	unknown
J. Jeffrey Landon Graydon, Head & Ritchey, LLP 1900 Fifth Third Center PO Box 6464 Cincinnati, OH 45201-6464						
Paul Alley & Neil Fairweather Graydon, Head & Ritchey, LLP PO Box 6464 Cincinnati, OH 45201-6464						

Sheet no. 3 of 7 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page)

Total

(Use only on last page of the completed Schedule F.)

\$4,809,954.93

Form B6F - Cont.
(12/03)

In re **Gene J. Wanek** Debtor **Twila K. Wanek** Case No. _____
(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.	J				X	9,000,000.00
LaSalle Bank National Assoc. c/o Lenner Partners, Inc. 1600 Washington Ave., #700 Miami Beach, FL 33139-3107 Andrew W. Owen & Peter Hahn 91 West Nationwide Blvd., Suite 300 PO Box 151120 Columbus, OH 43215 LaSalle Bank National Association 135 South LaSalle Street Suite 1740 Chicago, IL 60674-4107						
ACCOUNT NO.	J					1,686,428.00
Lennar Partners, Inc. 1601 Washington Ave. Suite 700 Miami, FL 33139						
ACCOUNT NO.	J					6,348,384.00
Lenner Partners, Inc. 1601 Washington Ave. Suite 700 Miami, FL 33139						

Sheet no. 4 of 7 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) >

Total >

(Use only on last page of the completed Schedule F.)

\$17,034,812.00

Form B6F - Cont.
(12/03)

In re **Gene J. Wanek** **Twila K. Wanek** Case No. _____
Debtor (If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBTR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. X J Lyle Phillips 11420 High Drive Leawood, KS 66211 James J. Valletta Warner, Angle, Law Firm 3550 North Central Ave., Suite1500 Phoenix, AZ 85012-2188 Mark D. Walz Davis, Brown Law Firm 4201 Westown Parkway Suite 300 West Des Moines, IA 50266		10/30/2002				55,000.00
ACCOUNT NO. 5329-0544-3706-7259 J MBNA America PO Box 15026 Wilmington, DE 19850-5026						6,371.88
ACCOUNT NO. 5490-9919-0500-9888 J MBNA America PO Box 15026 Wilmington, DE 19850-5026						32,726.65
ACCOUNT NO. J SFG Income Fund IV, LLC Seattle Funding Group 1239 - 120th Ave. NE Bellevue, WA 98005						50,000.00

Sheet no. 5 of 7 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) >

Total >

(Use only on last page of the completed Schedule F.)

\$144,098.53

Form B6F - Cont.
(12/03)

In re **Gene J. Wanek** **Twila K. Wanek** Case No. _____
Debtor (If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.	J		X	X	X	unknown
Steven C. Earnhart Thrasher, Buschmann Law Firm 151 North Delaware Street Suite 1900 Indianapolis, IN 46204						
ACCOUNT NO.						0.00
Terrance F. and Judy Arth 11071 East Running Deer Trail Scottsdale, AZ 85255						
Peter Westby and Jerry Schollian Platt and Westby 2916 North Seventh Ave., Ste 100 Phoenix, AZ 85013						
ACCOUNT NO.	X H					6,000.00
Union Bank and Trust of Lincoln PO Box 82630 Lincoln, NE 68501						
ACCOUNT NO.	J					7,018,105.59
UP Ventures, LLC 381 Park Ave. South, Suite 428 New York, NY 10016						
Gary R. Fischer Dreher, Simpson & Jensen 604 Locust St., Suite 222 Des Moines, IA 50309						
David E. Wright Kroger, Gardis & Regas 111 Monument Circle, Suite 900 Indianapolis, IN 46204						

Sheet no. 6 of 7 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) >

Total >

(Use only on last page of the completed Schedule F.)

\$7,024,105.59

Form B6F - Cont.
(12/03)

In re Gene J. Wanek Debtor Twila K. Wanek Case No. _____
(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions, above.)	CODEBATOR HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.						6,500,000.00
Wells Fargo Bank of Minnesota,NA c/o Arcap Servicing 5605 N. MacArthur Blvd., Suite 950 Irving, TX 75038 Otto Beatty & Issac deVyver Baker & Hostetler, LLP 65 E. State Street, Suite 2100 Columbus, OH 43215-4260						

Sheet no. 2 of 2 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims

Subtotal
(Total of this page) >

Total >

(Use only on last page of the completed Schedule F.)

\$6,500,000.00
\$44,288,046.16

(Report also on Summary of Schedules)

Form B6G

(10/89)

In re: Gene J. Wanek Twila K. Wanek Case No. _____
Debtor (If known)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

☒ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST, STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

B6H
(6/90)

In re: **Gene J. Wanek** Debtor **Twila K. Wanek** Case No. (If known)

SCHEDULE H - CODEBTORS

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Jeff Wanek 3001 Guthrie Ave. Des Moines, IA 50317	Union Bank and Trust of Lincoln PO Box 82630 Lincoln, NE 68501
John J. Wanek 6516 N. 26th Phoenix, AZ 85016	Lyle Phillips 11420 High Drive Leawood, KS 66211

Form B6I
(12/03)

In re **Gene J. Wanek, Twila K. Wanek**

Case No.

Debtor

(If known)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

Debtor's Marital Status: married	DEPENDENTS OF DEBTOR AND SPOUSE	
Debtor's Age: 73 Spouse's Age: 73	RELATIONSHIP	AGE
EMPLOYMENT:	DEBTOR	SPOUSE
Occupation retired	retired	
Name of Employer		
How long employed		
Address of Employer		

	DEBTOR	SPOUSE
Income: (Estimate of average monthly income)		
Current monthly gross wages, salary, and commissions (pro rate if not paid monthly.)	\$ <u>0.00</u>	\$ <u>0.00</u>
Estimated monthly overtime	\$ <u>0.00</u>	\$ <u>0.00</u>
SUBTOTAL	\$ <u>0.00</u>	\$ <u>0.00</u>
LESS PAYROLL DEDUCTIONS		
a. Payroll taxes and social security	\$ <u>0.00</u>	\$ <u>0.00</u>
b. Insurance	\$ <u>0.00</u>	\$ <u>0.00</u>
c. Union dues	\$ <u>0.00</u>	\$ <u>0.00</u>
d. Other (Specify) _____	\$ <u>0.00</u>	\$ <u>0.00</u>
SUBTOTAL OF PAYROLL DEDUCTIONS	\$ <u>0.00</u>	\$ <u>0.00</u>
TOTAL NET MONTHLY TAKE HOME PAY	\$ <u>0.00</u>	\$ <u>0.00</u>
Regular income from operation of business or profession or farm (attach detailed statement)	\$ <u>0.00</u>	\$ <u>0.00</u>
Income from real property	\$ <u>0.00</u>	\$ <u>0.00</u>
Interest and dividends	\$ <u>0.00</u>	\$ <u>0.00</u>
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above.	\$ <u>0.00</u>	\$ <u>0.00</u>
Social security or other government assistance (Specify) Social Security Social Security	\$ <u>1,345.00</u>	\$ <u>746.00</u>
Pension or retirement income	\$ <u>1,515.00</u>	\$ <u>705.00</u>
Other monthly income (Specify) IRA distributions	\$ <u>594.00</u>	\$ <u>280.00</u>
TOTAL MONTHLY INCOME	\$ <u>3,454.00</u>	\$ <u>1,731.00</u>
TOTAL COMBINED MONTHLY INCOME <u>\$ 5,185.00</u>	(Report also on Summary of Schedules)	
Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document: NONE		

Form B6J
(6/90)

In re **Gene J. Wanek, Twila K. Wanek**

Case No. _____

Debtor

(If known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

☒ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse".

Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>1,043.00</u>
Are real estate taxes included? Yes _____ No <u>✓</u>		
Is property insurance included? Yes _____ No <u>✓</u>		
Utilities Electricity and heating fuel	\$	<u>225.00</u>
Water and sewer	\$	<u>68.00</u>
Telephone	\$	<u>88.00</u>
Other <u>cable</u>	\$	<u>52.00</u>
<u>cell phones</u>	\$	<u>68.00</u>
Home maintenance (repairs and upkeep)	\$	<u>150.00</u>
Food	\$	<u>400.00</u>
Clothing	\$	<u>50.00</u>
Laundry and dry cleaning	\$	<u>15.00</u>
Medical and dental expenses	\$	<u>220.00</u>
Transportation (not including car payments)	\$	<u>500.00</u>
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>25.00</u>
Charitable contributions	\$	<u>350.00</u>
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	<u>45.00</u>
Life	\$	<u>37.00</u>
Health	\$	<u>120.00</u>
Auto	\$	<u>90.00</u>
Other <u>Long Term Care</u>	\$	<u>110.00</u>
Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) <u>Income Tax</u>	\$	<u>400.00</u>
Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	<u>0.00</u>
Other _____	\$	<u>0.00</u>
Alimony, maintenance or support paid to others	\$	<u>0.00</u>
Payments for support of additional dependents not living at your home	\$	<u>0.00</u>
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<u>0.00</u>
Other <u>property tax</u>	\$	<u>216.00</u>

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 4,272.00

[FOR CHAPTER 12 AND 13 DEBTORS ONLY]

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$	_____
B. Total projected monthly expenses	\$	_____
C. Excess income (A minus B)	\$	_____
D. Total amount to be paid into plan each _____	\$	_____

(interval)

Form B6J
(6/90)

In re **Gene J. Wanek, Twila K. Wanek**

Case No. _____

Debtor

(If known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

SPOUSE

Rent or home mortgage payment (include lot rented for mobile home)	\$	<u>258.33</u>
Are real estate taxes included? Yes _____ No <u>✓</u>		
Is property insurance included? Yes _____ No <u>✓</u>		
Utilities Electricity and heating fuel	\$	<u>50.00</u>
Water and sewer	\$	<u>45.00</u>
Telephone	\$	<u>42.00</u>
Other <u>cable</u>	\$	<u>44.00</u>
Home Maintenance (Repairs and upkeep)	\$	<u>100.00</u>
Food	\$	<u>0.00</u>
Clothing	\$	<u>0.00</u>
Laundry and dry cleaning	\$	<u>0.00</u>
Medical and dental expenses	\$	<u>0.00</u>
Transportation (not including car payments)	\$	<u>0.00</u>
Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	<u>0.00</u>
Charitable contributions	\$	<u>0.00</u>
Insurance (not deducted from wages or included in home mortgage payments)		
Homeowner's or renter's	\$	<u>35.00</u>
Life	\$	<u>0.00</u>
Health	\$	<u>116.00</u>
Auto	\$	<u>0.00</u>
Other _____	\$	<u>0.00</u>
Taxes (not deducted from wages or included in home mortgage payments)		
(Specify) <u>Property tax</u>	\$	<u>102.00</u>
Installment payments (In chapter 12 and 13 cases, do not list payments to be included in the plan)		
Auto	\$	<u>0.00</u>
Other _____	\$	<u>0.00</u>
Alimony, maintenance or support paid to others	\$	<u>0.00</u>
Payments for support of additional dependents not living at your home	\$	<u>0.00</u>
Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	<u>0.00</u>
Other _____	\$	<u>0.00</u>

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)

\$ 792.33

(FOR CHAPTER 12 AND 13 DEBTORS ONLY)

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income	\$	_____
B. Total projected monthly expenses	\$	_____
C. Excess income (A minus B)	\$	_____
D. Total amount to be paid into plan each _____	\$	_____

(interval)

UNITED STATES BANKRUPTCY COURT
Southern District of Iowa
Des Moines

In re: **Gene J. Wanek**

Twila K. Wanek

Case No. _____

Chapter **7**

BUSINESS INCOME AND EXPENSES

FINANCIAL REVIEW OF THE DEBTOR'S BUSINESS (NOTE: ONLY INCLUDE information directly related to the business operation.)

PART A - GROSS BUSINESS INCOME FOR PREVIOUS 12 MONTHS:

1. Gross Income For 12 Months Prior to Filing: \$ 0.00

PART B - ESTIMATED AVERAGE FUTURE GROSS MONTHLY INCOME:

2. Gross Monthly Income: \$ 0.00

PART C - ESTIMATED FUTURE MONTHLY EXPENSES:

3. Net Employee Payroll (Other Than Debtor)	\$ <u>0.00</u>
4. Payroll Taxes	<u>0.00</u>
5. Unemployment Taxes	<u>0.00</u>
6. Worker's Compensation	<u>0.00</u>
7. Other Taxes	<u>0.00</u>
8. Inventory Purchases (Including raw materials)	<u>0.00</u>
9. Purchase of Feed/Fertilizer/Seed/Spray	<u>0.00</u>
10. Rent (Other than debtor's principal residence)	<u>0.00</u>
11. Utilities	<u>0.00</u>
12. Office Expenses and Supplies	<u>0.00</u>
13. Repairs and Maintenance	<u>0.00</u>
14. Vehicle Expenses	<u>0.00</u>
15. Travel and Entertainment	<u>0.00</u>
16. Equipment Rental and Leases	<u>0.00</u>
17. Legal/Accounting/Other Professional Fees	<u>0.00</u>
18. Insurance	<u>0.00</u>
19. Employee Benefits (e.g., pension, medical, etc.)	<u>0.00</u>
20. Payments to Be Made Directly By Debtor to Secured Creditors For	

Pre-Petition Business Debts (Specify):

None

21. Other (Specify):

None

22. Total Monthly Expenses (Add items 3 - 21) \$ 0.00

PART D - ESTIMATED AVERAGE NET MONTHLY INCOME:

23. AVERAGE NET MONTHLY INCOME (Subtract Item 22 from Item 2) \$ 0.00

Official Form 6 - Cont.
(12/03)

In re: **Gene J. Wanek** _____
Debtor

Twila K. Wanek

Case No. _____
(If known)

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of 25 _____
(Total shown on summary page plus 1.)
sheets plus the summary page, and that they are true and correct to the best of my knowledge, information, and belief.

Date: 2/20/2004

Signature: s/ Gene J. Wanek
Gene J. Wanek

Date: 2/20/2004

Signature: s/ Twila K. Wanek
Twila K. Wanek

[If joint case, both spouses must sign]

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

(NOT APPLICABLE)

UNITED STATES BANKRUPTCY COURT
Southern District of Iowa
Des Moines

In re: **Gene J. Wanek**

Twila K. Wanek

Case No. _____

Chapter 7

Debtors

**DISCLOSURE OF COMPENSATION OF ATTORNEY
FOR DEBTOR**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept	\$	<u>0.00</u>
Prior to the filing of this statement I have received	\$	<u>0.00</u>
Balance Due	\$	<u>0.00</u>

2. The source of compensation paid to me was:

☐ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☐ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a) Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b) Preparation and filing of any petition, schedules, statement of affairs, and plan which may be required;
- c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- d) Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e) [Other provisions as needed]

No fees will be charged

6. By agreement with the debtor(s) the above disclosed fee does not include the following services:

No fees will be charged

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: 2/20/2004

Jerrold Wanek, Bar No. IS9998937

Garten & Wanek
Attorney for Debtor(s)

Form 7
(12/03)

UNITED STATES BANKRUPTCY COURT
Southern District of Iowa
Des Moines

In re: **Gene J. Wanek**
5751

Twila K. Wanek
1342

Case No. _____
Chapter **7**

STATEMENT OF FINANCIAL AFFAIRS

1. Income from employment or operation of business

None ☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
30,563.00	Des Moines Public School District (Gene)	2001

2. Income other than from employment or operation of business

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE	FISCAL YEAR PERIOD
263.00	refunds	2001
44,044.00	Pensions and Annuities	2001
193.00	Interest	2001
15,766.00	Social Security	2001
2,400.00	IRA distribution	2001
4,472.00	capital gain	2001
5,400.00	IRA Distribution	2002
36,930.00	Pensions & Annuities	2002
1,228.00	Refunds	2002
15,264.00	Social Security	2002
637.00	Interest	2002

3. Payments to creditors

None ☐

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
Bank of America 317 6th Des Moines, IA 50309	monthly payments and partial refinancing to lower interest rates	54,000.00	60,000.00
Capital One PO Box 85015 Richmond, VA 23285-5015	monthly payments	1,085.00	18,326.00
Fleet PO Box 15480 Wilmington, DE 19850-5480	monthly payments	615.00	9,954.00
MBNA America PO Box 15026 Wilmington, DE 19850-5026	monthly payments on 2 accounts	1,415.00	40,000.00

b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None



NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
--	-------------------	-------------	--------------------

4. Suits and administrative proceedings, executions, garnishments and attachments

None



a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
ECP Monroe, LLC, plaintiff versus Monroe Terrace, LLC, et. al. defendants CV 2003 06 1496	Action for foreclosure of commercial real estate project	Common Pleas Court Butler County, Ohio Civil Division	pending
UP Ventures, LLC, plaintiff, versus Waterstone Exeter, et. al., defendants 49D03-0305-MF-000980	Action on Note and for foreclosure of commercial real estate	Superior Court of Marriion County State of Indiana	judgment
Gene J. Wanek, plaintiff versus Southtown Chrysler, et. al. defendants SC368795	Action to recover on vehicle warranty	Iowa District Court Polk County Small Claims	Settled and dismissed

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
Terrance F. Arth and Judy Arth, plaintiff, versus John Wanek, et. al. defendants CV2002-023007	action on note	Superior Court of Arizona County of Maricopa	judgment
Lyle Phillips, plaintiff, versus John Jay Wanek, et. al., defendants CL94607	Action on Note	Iowa District Court Polk County	pending
Lyle Phillips, plaintiff, versus John Jay Wanek, et. al., defendants CV2003-014079	Action on Note	Superior Court for Arizona County of Maricopa	pending
Wells Fargo Bank of Minnesota, NA, plaintiff, versus Ashberry Exeter, LLC, Defendants 03CVE03-03467	Action to foreclose mortgage on commercial real estate	Common Pleas Court Franklin, Ohio	pending
UP Ventures, LLC, plaintiff, versus Twila K. Wanek, et. al., defendants CV5073	Transcript of Judgment	Iowa District Court Polk County	judgment
LaSalle Bank National Association, et. al. plaintiff versus Colonial Exeter, LLC, et. al. defendants 03CVE-02-01890	Foreclosure of Commercial Real Estate	Court of Common Pleas Franklin County, Ohio	pending
Ashton Glen Apartments, LLC, plaintiff versus John J. Wanek, et. al. defendants CV2003-004384	action on note	Superior Court of Arizona County of Maricopa	judgment

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None
☒

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
--	--------------------	---

5. Repossessions, foreclosures and returns

None
☒

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
---	---	---

6. Assignments and receiverships

None



a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
---------------------------------	-----------------------	---

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None



NAME AND ADDRESS OF CUSTODIAN	NAME AND ADDRESS OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
----------------------------------	---	------------------	---

7. Gifts

None



List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
--	--------------------------------------	-----------------	-------------------------------------

8. Losses

None



List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
---	--	-----------------

9. Payments related to debt counseling or bankruptcy

None



List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS
OF PAYEE

DATE OF PAYMENT,
NAME OF PAYOR IF
OTHER THAN DEBTOR

AMOUNT OF MONEY OR
DESCRIPTION AND VALUE
OF PROPERTY

10. Other transfers

None



a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE,
RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY
TRANSFERRED
AND VALUE RECEIVED

Solutions Worldwide, LLC
creditor

01/22/2004

**refinanced 428 N. Wilson to
the extent of \$50,000.00 to
lower interest cost to Bank of
America. Proceeds paid
directly to Bank of America.**

11. Closed financial accounts

None



List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF INSTITUTION

TYPE OF ACCOUNT, LAST FOUR
DIGITS OF ACCOUNT NUMBER,
AND AMOUNT OF FINAL BALANCE

AMOUNT AND
DATE OF SALE
OR CLOSING

12. Safe deposit boxes

None



List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF BANK OR
OTHER DEPOSITORY

NAMES AND ADDRESSES
OF THOSE WITH ACCESS
TO BOX OR DEPOSITORY

DESCRIPTION
OF
CONTENTS

DATE OF TRANSFER
OR SURRENDER,
IF ANY

13. Setoffs

None



List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
------------------------------	----------------	------------------

14. Property held for another person

None ☐ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
Jeff Wanek 3001 Guthrie Des Moines, IA 50317	2001 Dodge Neon Subject to lien. Probably no net value.	Vehicle is jointly titled in name of Gene Wanek and Jeff Wanek but is actual property of Jeff Wanek

15. Prior address of debtor

None ☒

If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
---------	-----------	--------------------

16. Spouses and Former Spouses

None ☒

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.

None ☒

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

None
☒

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
-----------------------	---------------------------------------	----------------	-------------------

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

None
☒

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
---------------------------------------	---------------	-----------------------

18. Nature, location and name of business

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the business, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Ashberry Village, LLC		812 North Second Ave. Phoenix, AZ 85003-1404	172 Unit Apartment Complex in Columbus, Ohio	08/01/2002 02/20/2004
Ashton Glen LLC		812 North Second Ave Phoenix, AZ 85003-1404	32.4% interest 108 unit aptment complex in Centerville, OH	06/01/2001 02/20/2004
Colonial Exeter, LLC		812 North Second Ave Phoenix, AZ 85003-1404	14% interest 516 Unit Apartment complex in Columbus, Ohio	03/01/2002 02/20/2004
Linwood Apartments			20.4% interest 12 unit apartments	09/01/1997 02/20/2004

NAME	TAXPAYER I.D. NUMBER	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Monroe Terrace, LLC		812 North Second Ave Phoenix, AZ 85003-1404	140 Unit Apartment Complex in Monroe, Ohio	09/01/2002 02/20/2004
Waterstone Exeter, LLC		812 North Second Ave. Phoenix, AZ 85003-1404	40% interest Gene is Managing member 192 unit apartment complex in Indianapolis, IN	03/01/2003 02/20/2004
Williamsburg Place LLC		812 North Second Ave Phoenix, AZ 85003-1404	24% interest 76 Unit Apartment complex in Middletown, Ohio	07/01/2001 02/20/2004
			24% interest	

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

None
☐

NAME	ADDRESS
Ashberry Village, LLC	
Ashton Glen, LLC	
Colonial Exeter, LLC	
Monroe Terrace, LLC	
Waterstone Exeter, LLC	
Williamsburg Place, LLC	

19. Books, records and financial statements

None
☒

a. List all bookkeepers and accountants who within **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
------------------	-------------------------

b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

None
☒

NAME AND ADDRESS	DATES SERVICES RENDERED
------------------	-------------------------

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

None
☒

NAME	ADDRESS
------	---------

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

None
☐

NAME AND ADDRESS	DATE ISSUED
------------------	-------------

NAME AND ADDRESS

John Wanek
Who has distributed the
financial statements to
unknown entities

DATE ISSUED

03/10/2003

20. Inventories

None



a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY
(Specify cost, market or other basis)

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

None



DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN
OF INVENTORY RECORDS

21. Current Partners, Officers, Directors and Shareholders

None



a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

None



NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

22. Former partners, officers, directors and shareholders

None



a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME

ADDRESS

DATE OF WITHDRAWAL

b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

None



NAME AND ADDRESS

TITLE

DATE OF TERMINATION

23. Withdrawals from a partnership or distributions by a corporation

None



If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS
OF RECIPIENT,
RELATIONSHIP TO DEBTOR

DATE AND PURPOSE
OF WITHDRAWAL

AMOUNT OF MONEY
OR DESCRIPTION
AND VALUE OF PROPERTY

24. Tax Consolidation Group.

None



If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six -year period** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER

25. Pension Funds.

None



If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER

* * * * *

[if completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date 2/20/2004

Signature of Debtor s/ Gene J. Wanek
Gene J. Wanek

Date 2/20/2004

Signature of Joint Debtor s/ Twila K. Wanek
Twila K. Wanek

Official Form 8
(12/03)

UNITED STATES BANKRUPTCY COURT
Southern District of Iowa
Des Moines

In re: **Gene J. Wanek**
5751

Twila K. Wanek
1342

Case No. _____
Chapter **7**

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:
 - a. *Property To Be Surrendered.*

Description of Property

Creditor's Name

None

- b. *Property To Be Retained.*

[Check any applicable statement.]

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)	Other
1. The North 28 feet of the West 53 1/3 feet of Lot 31 and the West 53 1/3 feet of Lots 32 and 33 and the East 25 feet of Lot D Adjacent thereto on the West all in SCENIC HEIGHTS, an Official Plat, in the City of Des Moines, Polk County, Iowa. Locally known as: 3001 Guthrie Ave., Des Moines, IA	Bank of America			X	
2. Lots 15-16 in Block 1, WILBER'S FIRST ADDITION Locally Known as: 428 North Wilson, Wilber, NE	Solutions Worldwide, LLC			X	

Date: 2/20/2004

s/ Gene J. Wanek
Signature of Debtor

Date: 2/20/2004

s/ Twila K. Wanek
Signature of Joint Debtor

UNITED STATES BANKRUPTCY COURT
Southern District of Iowa
Des Moines

Exhibit "C"

[If, to the best of the debtor's knowledge, the debtor owns or has possession of property that poses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety, attach this Exhibit "C" to the petition.]

In re: **Gene J. Wanek**
Twila K. Wanek

Case No.:

Chapter: **7**

Debtor(s)

Exhibit "C" to Voluntary Petition

1. Identify and briefly describe all real or personal property owned by or in possession of the debtor that, to the best of the debtor's knowledge, poses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety (attach additional sheets if necessary):

2. With respect to each parcel of real property or item of personal property identified in question 1, describe the nature and location of the dangerous condition, whether environmental or otherwise, that poses or is alleged to pose a threat of imminent and identifiable harm to the public health or safety (attach additional sheets if necessary):

B 201 (11/03)

UNITED STATES BANKRUPTCY COURT
NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)

Chapter 12 designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family - owned farm.

I, the debtor, affirm that I have read this notice.

2/20/2004

Date

s/ Gene J. Wanek

Signature of Debtor

Case Number

2/20/2004

Date

s/ Twila K. Wanek

Signature of Joint Debtor

AARP Credit Card Services
Bank One
PO Box 8650
Palatine, IL 19899

American Express
PO Box 297879
Ft. Lauderdale, FL 33329-7879

American Express
Suite 0001
Chicago, IL 60679

American Express
PO Box 7863
Fort Lauderdale, FL 33329

American National Mortgage Partners
c/o James Sell, Receiver
5045 N. 12th Street, Suite 100
Phoenix, AZ 85014

American National Mortgage Partners
15021 North 74th Street, Ste. 100
Scottsdale, AZ 85260

Andrew W. Owen & Peter Hahn
91 West Nationwide Blvd., Suite 300
PO Box 151120
Columbus, OH 43215

ARCap Servicing, Inc.
5605 North MacArthur Blvd.
Suite 950
Irving, TX 75038

Ashton Glen Apartments, LLC
4 World Financial Center
250 Vesey Street
15th Floor, Room 210
New York, NY 10080

Bank of America
317 6th Ave.
Des Moines, IA 50309

Bank of America
PO Box 1038
Norfolk, VA 23501-1038

Capital One
PO Box 85015
Richmond, VA 23285-5015

CDW Corporation
200 North Milwaukee Ave.
Vernon Hills, IL 60061

Choice
Box 6248
Sioux Falls, SD 57117

CIBC World Markets
Attn: Brian Neilinger
622 Third Ave.
New York, NY 10017

Curtis F. Slaton
Bogin, Patterson & Bohman, LLP
1200 Talbott Tower
131 N. Ludlow Street
Dayton, OH 45402

D & B RMS
PO Box 539
Richfield, OH 44286

David E. Wright
Kroger, Gardis & Regas
111 Monument Circle, Suite 900
Indianapolis, IN 46204

ECP Monroe, LLC
Edgewood Capital Partners
1055 Summer Street
Stanford, CT 06905

Fleet
PO Box 15480
Wilmington, DE 19850-5480

Gary R. Fischer
Dreher, Simpson & Jensen
604 Locust St., Suite 222
Des Moines, IA 50309

J. Jeffrey Landon
Graydon, Head & Ritchey, LLP
1900 Fifth Third Center
PO Box 6464
Cincinnati, OH 45201-6464

James J. Valletta
Warner, Angle, Law Firm
3550 North Central Ave., Suite 1500
Phoenix, AZ 85012-2188

Jeff Wanek
3001 Guthrie Ave.
Des Moines, IA 50317

Jennifer L. Maffett
Thompson Hine, LLP
PO Box 8801
Dayton, OH 45401

John J. Wanek
6516 N. 26th
Phoenix, AZ 85016

LaSalle Bank National Assoc.
c/o Lenner Partners, Inc.
1600 Washington Ave., #700
Miami Beach, FL 33139-3107

LaSalle Bank National Association
135 South LaSalle Street
Suite 1740
Chicago, IL 60674-4107

Lawrence E. Wilk
Jaburg & Wilk
1200 N. Central Ave., Ste. 2000
Phoenix, AZ 85012

Lennar Partners, Inc.
1601 Washington Ave.
Suite 700
Miami, FL 33139

Lenner Partners, Inc.
1601 Washington Ave.
Suite 700
Miami, FL 33139

Lyle Phillips
11420 High Drive
Leawood, KS 66211

Mark D. Walz
Davis, Brown Law Firm
4201 Westown Parkway
Suite 300
West Des Moines, IA 50266

Mark Sifferman
Norling, Kolsrud Law Firm
3101 North Central Ave.
Suite 690
Phoenix, AZ 85012

MBNA America
PO Box 15026
Wilmington, DE 19850-5026

Otto Beatty & Issac deVyver
Baker & Hostetler, LLP
65 E. State Street, Suite 2100
Columbus, OH 43215-4260

Paul Alley & Neil Fairweather
Graydon, Head & Ritchey, LLP
PO Box 6464
Cincinnati, OH 45201-6464

Peter Westby and Jerry Schollian
Platt and Westby
2916 North Seventh Ave., Ste 100
Phoenix, AZ 85013

SFG Income Fund IV, LLC
Seattle Funding Group
1239 - 120th Ave. NE
Bellevue, WA 98005

Solutions Worldwide, LLC
9620 Hammontree Drive
Urbandale, IA 50322

Steven C. Earnhart
Thrasher, Buschmann Law Firm
151 North Delaware Street
Suite 1900
Indianapolis, IN 46204

Terrance F. and Judy Arth
11071 East Running Deer Trail
Scottsdale, AZ 85255

Union Bank and Trust of Lincoln
PO Box 82630
Lincoln, NE 68501

United REcovery Services
Attn: Kevin Gunthorpe
5800 North Course Drive
Houston, TX 77072

UP Ventures, LLC
381 Park Ave. South, Suite 428
New York, NY 10016

Wells Fargo Bank of Minnesota,NA
c/o Arcap Servicing
5605 N. MacArthur Blvd., Suite 950
Irving, TX 75038

UNITED STATES BANKRUPTCY COURT
Southern District of Iowa
Des Moines

In re: **Gene J. Wanek**
5751

Twila K. Wanek
1342

Case No. _____
Chapter **7**

VERIFICATION OF CREDITOR MATRIX

The above named debtor(s), or debtor's attorney if applicable, do hereby certify under penalty of perjury that the attached Master Mailing List of creditors, consisting of **6** sheet(s) is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and I/we assume all responsibility for errors and omissions.

Dated: **2/20/2004**

Signed: **s/ Gene J. Wanek**
Gene J. Wanek

Signed: _____
Jerrold Wanek
Bar No. **IS9998937**

Signed: **s/ Twila K. Wanek**
Twila K. Wanek

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
DES MOINES**

In re:)	
)	
Gene J. Wanek)	
)	
Twila K. Wanek)	Bankruptcy Case No.
)	
)	
)	
)	
Debtor(s))	

VERIFICATION OF MASTER ADDRESS LIST ON DISKETTE

I declare under penalty of perjury that the Master Address List submitted for this case in electronic form on diskette, has been compared to, and contains the same information as, the Master Address List submitted in hard-copy form on paper (creditor matrix). The number of creditors listed on the diskette is 46 (*please specify*).

DATED: **2/20/2004**

Signature of Debtor's Attorney or Bankruptcy Petition Preparer

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF IOWA
DES MOINES**

In re:)	Case No.
Gene J. Wanek)	
)	
Twila K. Wanek)	
)	
Debtor(s))	
_____)	

VERIFICATION OF MASTER ADDRESS LIST
ON PAPER (CREDITOR MATRIX)

I (we) declare under penalty of perjury that I (we) have read the attached Master Address List (creditor matrix), consisting of 6 pages, and that it is true and correct to the best of my (our) knowledge, information, and belief.

DATED: **2/20/2004**

s/ Gene J. Wanek

Debtor' s Signature

s/ Twila K. Wanek

Joint Debtor' s Signature